

CHUCK GRASSLEY,
DON NICKLES,
PHIL GRAMM,
DAN COATS,
JIM EXON,

Managers on the Part of the Senate.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.J. Res. 165. Joint resolution making further continuing appropriations for the fiscal year 1996, and for other purposes.

The message also announced that the Senate agrees to the report of the Committee of Conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 956) "An Act to establish legal standards and procedures for product liability litigation, and for other purposes."

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, a concurrent resolution of the House of the following title:

H. Con. Res. 148. Concurrent resolution expressing the sense of the Congress that the United States is committed to military stability in the Taiwan Strait and the United States should assist in defending the Republic of China (also known as Taiwan) in the event of invasion, missile attack, or blockade by the People's Republic of China.

APPOINTMENT OF CONFEREES ON H.R. 3019, BALANCED BUDGET DOWN PAYMENT ACT, II

Mr. LIVINGSTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 3019) making appropriations for fiscal year 1996 to make a further downpayment toward a balanced budget, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment and agree to the conference asked by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

MOTION TO INSTRUCT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Speaker, I offer a motion to instruct.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. OBEY moves that the managers on the part of the House at the conference of the disagreeing votes of the two Houses on the amendment of the Senate to the bill, H.R. 3019, be instructed to:

(a) agree to the position in the Senate amendment increasing funding above the levels in the House bill for programs of the Department of Education;

(b) agree to the position in the Senate amendment increasing funding above the levels in the House bill for programs of the Environmental Protection Agency;

(c) agree to the position in the Senate amendment that provides a minimum of \$975,000,000 from within the \$1,903,000,000 pro-

vided for Local Law Enforcement Block Grants within the Department of Justice for the Public Safety and Community Policing grants pursuant to title I of the Violent Crime Control and Law Enforcement Act of 1994 (COPS on the beat program);

(d) agree to the position in the Senate amendment increasing funding above the levels in the House bill for job training and worker protection programs of the Department of Labor;

(e) agree to the position in the Senate amendment deleting Title V of the House bill placing onerous new red tape requirements on Federal grantees; and

(f) agree to the position in the Senate amendment specifying a maximum grant award of \$2500 under the Pell Grant Program; and

(g) agree to the position in the Senate amendment providing fiscal year 1997 funding of \$1,000,000,000 for the Low-Income Energy Assistance Program of the Department of Health and Human Services.

Mr. OBEY (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The SPEAKER pro tempore. The gentleman from Wisconsin [Mr. OBEY] is recognized for 30 minutes.

Mr. OBEY. Mr. Speaker, I yield myself such time as I may consume.

I know Members want to get out of here, and I join in that sentiment. It was not my choice to deal with this issue tonight, but we are dealing with it. So I would like Members to know what it is that we are asking them to vote on.

What we have pending before the House is a motion to go to conference on the long term. The chairman of the committee has just moved that the House go to conference on the long-term continuing resolution. Earlier today, we passed another one of our week-to-week CRs.

Mr. Speaker, the problem we face is that with the five bills that still are not in law, the five appropriation bills for this fiscal year, those bills have come in at a rate of about \$25 billion below the amount being asked for by the President of the United States. The President has indicated that if language differences can be eliminated so that we can remove some of the special interest language provisions that have been inserted in the bill, that he is willing to sign off on the bill if he can get roughly \$8 billion back out of that \$25 billion. So he is asking for about 30 cents on the dollar.

The Senate, rather than providing the 30 cents on the dollar, has added back about \$3.8 billion, which represents about 14 cents out of every dollar that the President wanted. In my view, we are not going to be able to finish that conference by the end of next week unless we can cut through a lot of the fog and recognize that where we have to start in that conference is at the Senate level. So what I am trying to do here tonight is to bring us closer to that point.

What this motion would do is instruct the conferees to accept the Senate increases in education, which would mean increases in Goals 2000, an increase of \$814 million in chapter 1. We are asking to put \$814 million in for title I because we think that we should make it easier, not harder, for kids to learn how to read and to learn how to deal with math.

Mr. Speaker, we are asking to put back \$200 million for safe and drug-free schools because we think that our communities are going to be safer and our kids healthier if they learn at an early age to stay away from drugs.

We are adding \$8 million for charter schools, some additional money in the education area, including vocational and adult education. We are asking to add back \$137 million for Head Start, which is what the Senate has added back. In the Labor Department, we are asking that funding be added back for school-to-work programs, for dislocated worker assistance, for one stop career shopping, for summer youth, \$635 million for summer youth.

Mr. Speaker, we are asking in the Veterans, HUD and independent agencies bill that we add \$115 million for operating programs to the EPA, including enforcement activities, \$300 million for EPA, States and tribal assistance grants, water and wastewater infrastructure financing. The Senate bill added \$50 million or \$150 million for EPA Superfund program. We are asking that we accept the Senate judgment on those programs.

We are also asking to accept the Senate level for the cops on the beat program rather than the House insisting on its block grant program as a substitute for the cops on the beat program. We think that program has been demonstrated to be successful. The President places a very high priority on that item and will not sign a bill, in my judgment, unless we do considerably better than the Senate has done on this program. We intend in conference to insist on a higher level for cops on the beat than the Senate has provided, but what we want to do is to try to begin the process at least recognizing as the Senate did that we have to restore to at least 50 percent of that going in.

Mr. Speaker, we are also asking that Members delete the Istook amendment, which in essence creates a huge blizzard of paperwork on most of the groups who have the temerity to want to comment to their elected Representatives on the actions that we are taking. We think they have that right, and the Istook amendment gets in the way of that.

We are also asking that we restore \$1 billion for the low-income heating assistance program and take the Pell grant program up to maximum grants of \$2,500 rather than the amount in the House bill.

We believe that that is the very minimum that is necessary to get the conference off to a good start. It is my

firm belief that in fact we will have to go further in those restorations before the President signs the bill.

The President is not going to settle for 15 cents on the dollar, as the Senate has provided. He is going to insist that we do a better job than that in protecting education, protecting environmental cleanup, protecting our efforts to fight crime.

I would ask for a yea vote on the motion.

The SPEAKER pro tempore. The gentleman from Louisiana [Mr. LIVINGSTON] is recognized for 30 minutes.

GENERAL LEAVE

Mr. LIVINGSTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and that I may include tabular and extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. LIVINGSTON. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. GOODLING], distinguished chairman of the Committee on Economic and Educational Opportunities.

Mr. GOODLING. Mr. Speaker, I would caution my colleagues to be very, very careful about this, what appears to be a very, very attractive package, particularly when talking about areas in education. I would not tie the conferees hands until we know exactly where these offsets are and how legitimate those offsets are.

Mr. Speaker, I would encourage Members not to fall victim to something that sounds awfully, awfully good, particularly for those of us who deal in the education field, because the offsets may end up eventually being Members' favorite programs, because at the present time they probably could be more smoke and mirrors than anything else.

Mr. LIVINGSTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank all of my colleagues for their indulgence. I shall not take much time.

We have here a motion to instruct conferees. We are in the process of appointing the conferees so that they can begin the conference. I am hopeful that this is the beginning of the end for the fiscal year 1996 bills.

The conferees will go into session and will deliberate and I expect we will report back toward the end of next week and that we will produce a bill that can pass both Houses and be sent to the President and will be signed into law and we can move on to fiscal year 1997.

Mr. Speaker, let me say that my friend from Wisconsin has raised a number of issues for additional spending. He wishes to spend a lot of money on a lot of different programs. He wishes us to conform with the Senate on some of the additional spending that they have had, and of course he is not

satisfied with the bill as it left the House.

On education, I would only point out that the Federal Government, which has not traditionally throughout the history of this Nation been involved in education, has been since roughly 1970 or shortly before and now pays about 6 percent of the total education tab. Roughly \$23–\$25 billion is what we pay, the American taxpayer pays, through the Federal Treasury. The U.S. taxpayer pays roughly \$23 billion for education in this country, to be dispensed through the United States Treasury, but the taxpayers also pay another \$200 billion-plus in the States and localities on education.

□ 2030

The fact is that education is primarily the province of the local and the State government, and while we can always look for more ways to spend more money, we are never going to make a dent with our involvement.

I have to point out the fact that since the Federal Government has become involved, grades for the scholastic aptitude tests for students at all levels of education have declined, not increased, so it is hard to make the argument that Federal payment for education bills has really accomplished much of anything.

That being the case, we are going to meet with the Senate, and we are going to have to come to a conclusion. I would only point out to my colleagues that, if we accept the gentleman's proposal to instruct conferees, we might as well not go to conference because the gentleman from Wisconsin [Mr. OBEY] would have us agree to virtually all of the Senate's positions on a fistful of issues, practically all of which would indeed cost more money.

Now in the House passed bill, we are within our budget caps. If we spend more money, we have to pay for it or else we will be in excess of our budget that we have passed in this House and that passed in the Senate before. I am not sure that we can come up with additional pay-fors for additional spending. It is good to be a very excruciating debate between us, and Members of the Senate, and both parties, and then also to work out an agreement with the President where he feels comfortable enough to sign it. It is going to be a difficult negotiation.

I would urge my colleagues to vote "no" on the motion to instruct. Let us go to conference with some flexibility to negotiate. Do not give us a mandate to agree to their proposals. If we have a mandate that is given us by bipartisan Members of this House, the fact is that the conference will be over very quickly whether or not the President ultimately decides to sign the bill.

But I would urge my colleagues to stick with the committee, not weaken us before we go to conference. Vote "no" on the motion to instruct, and let us go home for the evening.

Mr. Speaker, I reserve the balance of my time.

Mr. OBEY. Mr. Speaker, I yield myself just 30 seconds.

The Senate has offset all of the funding that they have provided so they do not add to spending levels for this fiscal year, and all of the items for fiscal year 1997 will be constrained by the caps, as everyone knows. So this is not an issue of how much spending there shall be. This is an issue of where that spending ought to be targeted.

Mr. Speaker, I yield back the balance of my time.

Mr. LIVINGSTON. Mr. Speaker, I, too, yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER pro tempore (Mr. HEFLEY). The question is on the motion to instruct offered by the gentleman from Wisconsin (Mr. OBEY).

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. OBEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 194, nays 207, not voting 30, as follows:

[Roll No. 90]

YEAS—194

Abercrombie	Ehlers	Kildee
Ackerman	Engel	Kleczka
Andrews	English	Klink
Baessler	Eshoo	Klug
Baldacci	Evans	LaFalce
Barcia	Farr	Lantos
Barrett (WI)	Fattah	Levin
Becerra	Fazio	Lewis (GA)
Beilenson	Fields (LA)	Lincoln
Bentsen	Filner	Lipinski
Berman	Flake	LoBiondo
Bevill	Foglietta	Lofgren
Bishop	Ford	Lowey
Blute	Fox	Luther
Boehlert	Frank (MA)	Maloney
Bonior	Franks (CT)	Markey
Borski	Frost	Martinez
Boucher	Furse	Martini
Brewster	Gejdenson	Mascara
Browder	Gonzalez	Matsui
Brown (CA)	Gordon	McCarthy
Brown (FL)	Green	McDermott
Brown (OH)	Gutierrez	McHale
Bryant (TX)	Hall (OH)	McHugh
Cardin	Hamilton	McKinney
Chapman	Harman	McNulty
Clayton	Hastings (FL)	Meek
Clement	Hefner	Menendez
Clyburn	Heineman	Miller (CA)
Coleman	Hilliard	Minge
Collins (MI)	Hinchey	Mink
Condit	Holden	Mollohan
Conyers	Horn	Montgomery
Costello	Houghton	Moran
Coyne	Hoyer	Morella
Cramer	Jackson (IL)	Murtha
Danner	Jackson-Lee	Nadler
DeFazio	(TX)	Neal
DeLauro	Jacobs	Oberstar
Dellums	Jefferson	Obey
Deutsch	Johnson (CT)	Olver
Dingell	Johnson (SD)	Ortiz
Dixon	Johnson, E. B.	Orton
Doggett	Kanjorski	Pallone
Dooley	Kaptur	Pastor
Doyle	Kennedy (MA)	Payne (VA)
Durbin	Kennedy (RI)	Pelosi
Edwards	Kennelly	Peterson (FL)

Peterson (MN)
Pickett
Pomeroy
Poshard
Quinn
Rahall
Ramstad
Rangel
Reed
Richardson
Rivers
Roemer
Roybal-Allard
Rush
Sabó
Sanders
Sawyer

Schroeder
Schumer
Schumer
Serrano
Sisisky
Skaggs
Skelton
Slaughter
Spratt
Stenholm
Stupak
Tanner
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman

Torkildsen
Torres
Torrice
Towns
Traficant
Velazquez
Vento
Visclosky
Volkmer
Ward
Watt (NC)
Weldon (PA)
Weller
Williams
Wise
Woolsey
Wynn

Stokes
Studds

Waters
Waxman

Wilson
Yates

woman from Connecticut (Ms. DeLAURO) is recognized for 5 minutes.

□ 2149

The Clerk announced the following pair:

On this vote:

Mr. Stokes for, with Mr. Radanovich against.

Mr. ZELIFF changed his vote from "aye" to "no."

Mr. BERMAN changed his vote from "no" to "aye."

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. HEFLEY). Without objection, the Chair appoints the following conferees:

For consideration of the House Bill (except for section 101(c)) and the Senate amendment (except for section 101(d)), and modifications committed to conference:

Messrs. LIVINGSTON, MYERS of Indiana, YOUNG of Florida, REGULA, LEWIS of California, PORTER, ROGERS, SKEEN, and WOLF, Mrs. VUCANOVICH, and Messrs. LIGHTFOOT, CALLAHAN, WALSH, OBEY, YATES, STOKES, BEVILL, MURTHA, WILSON, DIXON, HEFNER, and MOLLOHAN.

For consideration of section 101(c) of the House bill, and section 101(d) of the Senate amendment, and modifications committed to conference:

Messrs. PORTER, YOUNG of Florida, BONILLA, ISTOOK, MILLER of Florida, DICKEY, RIGGS, WICKER, LIVINGSTON, OBEY, STOKES, and HOYER, Ms. PELOSI, and Mrs. LOWEY.

There was no objection.

PERSONAL EXPLANATION

Mr. DORNAN. Mr. Speaker, on roll-call number 89, the immigration bill, had I been present, I would have voted aye. This bill was so important to me and I worked so hard on it. I was on the Senate floor, and out of courtesy turned off my beeper. I thought it would be a 15-minute vote, not a 5-minute vote. That is a vigorous up, thumbs up, aye vote.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland [Mrs. MORELLA] is recognized for 5 minutes.

[Mrs. MORELLA addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

WOMEN IN PUBLIC SERVICE

The SPEAKER pro tempore. Under a previous order of the House, the gentle-

GENERAL LEAVE

Ms. DeLAURO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the subject of my special order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Ms. DeLAURO. Mr. Speaker, I am honored to join Congresswoman LUCILLE ROYBAL-ALLARD tonight in kicking-off this series of special orders recognizing women from around the Nation for their accomplishments in public service. Congresswoman ROYBAL-ALLARD and myself organized this series of special orders this evening with the Women's Caucus in celebration of Women's History Month. Due to the overwhelming participation in this event, I will keep my remarks brief. I thank all of my colleagues who will be speaking this evening in recognition of the tremendous accomplishments and contributions of women in public service.

Mr. Speaker, I am proud to announce the names of two extraordinary women from the third Congressional District of Connecticut who have been selected for acknowledgement during Women's History Month 1996. These women were selected by a committee I organized, comprised of over 20 women leaders in my district. The committee included members of the business community, civic organizations, cultural, and religious groups. The Women of the Year for Women's History Month 1996 are Mrs. Anne Calabresi and State Senator Toni Harp.

Anne Calabresi is a cornerstone of community life in New Haven. She has been active in the organization of major city initiatives and events like the World of Difference Project. Sponsored by the Anti-Defamation League, the World of Difference Project has been working to end discrimination and forge community understanding in New Haven for the past 4 years. Anne works with the Special Olympics, which brought thousands of athletes and spectators to New Haven last year and also serves as the chairwomen of the Leadership Education and Athletics in Partnership [LEAP] program. Presently, she is serving as the vice-president of the International Festival of Arts and Ideas which will be held in New Haven this June. This festival attracts the best of international, national, regional, and local performers and artists. In addition to the educational and cultural benefits, the festival spurs tourism and economic development in New Haven. Whatever the endeavor, Anne's peers applaud her enormous energy, enthusiasm and love for the city of New Haven. She is indefatigable and is a source of information for all.

NAYS—207

Allard
Archer
Arney
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Bonilla
Bono
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Cooley
Cox
Crane
Crapo
Creameans
Cubin
Cunningham
Davis
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehrlich
Emerson
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Fowler
Franks (NJ)

Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Geren
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hancock
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Hoke
Hostettler
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Knollenberg
LaHood
Largent
Latham
LaTourette
Laughlin
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
Longley
Lucas
Manzullo
McCollum
McCrery
McInnis
McIntosh
McKeon
Metcalfe
Meyers
Mica
Miller (FL)
Molinari
Moorhead
Myers

Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Parker
Paxon
Petri
Pombo
Porter
Portman
Pryce
Quillen
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stump
Talent
Tate
Tauzin
Taylor (NC)
Thomas
Thornberry
Tiahrt
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—30

Barton
Boehner
Clay
Collins (IL)
de la Garza
Dicks
Forbes
Gephardt
Gibbons

Hayes
Johnston
Kolbe
Lazio
Manton
McDade
Meehan
Moakley
Owens

Payne (NJ)
Radanovich
Rose
Roth
Stark
Stockman